

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

FAREED ALSTON, )  
Plaintiff, ) Case No. 4:18-CV-01569  
v. ) JURY TRIAL DEMANDED  
CITY OF ST. LOUIS, et al., )  
Defendants. )

**JOINT PROPOSAL FOR AMENDMENT OF THE CASE MANAGEMENT ORDER**

The parties submit the following proposed amended case management order:

1. The parties agree that Track 2 is appropriate.
2. No date for joinder of additional parties or amendment of pleadings.
3. The discovery plan is as follows:
  - a. The parties do not anticipate any issues related to electronically stored information and agree that all electronically stored information shall be produced in a reasonable form. If it appears that electronically stored information will be extensive, the parties will together to file a joint proposed ESI protocol with the Court. If the parties are unable to agree any disagreements regarding electronically stored information, the parties will submit such agreements to the Court for resolution.
  - b. The parties agree to submit a proposed order, as necessary, to assert claims of privilege or of protection as trial-preparation material after production, including agreements Fed. R. Evid. 502. The parties further agree to submit a protective order designating that all information regarding police officer defendants and witnesses, such as addresses and numbers, will be disclosed for attorneys' and experts' eyes only and shall be subject to

return or destruction at the conclusion of the case. The parties agree that documents containing such information can be used by the parties in filings with the Court, subject to redaction of any personal information. Further, where the public release of materials relating to law enforcement procedures and protocols would create a danger to the officers or public, the parties agree such documents will be disclosed for attorneys' and experts' eyes only and shall be subject to return or destruction at the conclusion of the case.

c. The parties exchanged Fed. R. Civ. P. Rule 26(a)(1) disclosures on August 12, 2019.

d. Discovery will not be conducted in phases or limited to certain issues.

e. Plaintiffs' expert witnesses and reports shall be disclosed no later than **March 17, 2022**; Plaintiffs' expert witnesses shall be made available for deposition no later than **April 15, 2022**. Defendants' experts and reports shall be disclosed no later than **May 16, 2022**; Defendants' expert witnesses shall be made available for deposition no later than **June 15, 2022**.

f. Except by written agreement of the parties or motion showing good cause, the presumptive limitations on the number of depositions and interrogatories apply to this case.

g. Discovery will be completed by **June 15, 2022**.

h. All motions to compel discovery must be filed by **June 15, 2022**.

i. Any *Daubert* motions will be filed by **July 15, 2022**.

4. The parties attempted to mediate this and the other *Stockley* protest cases with Judge Booker Shaw, on November 4, 2021. The mediation was not successful.

5. All dispositive motions shall be filed by **August 12, 2022**.

6. The earliest possible date by which this case should reasonably be expected to be ready for trial is **February 13, 2023**.

7. The estimated length of time expected to try the case to verdict is 4-5 days.

Dated: January 26, 2022

KHAZAEI WYRSCH LLC

/s/ James R. Wyrsch

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Respectfully submitted,

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